



# **SIMPLE JUSTICE**

## **The Heart of Title VI**

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Do You Ignore Reality?

**Draw a Hand.**



# WIIFM?

- Overview of Title VI
- Law & Regulations
- Application, Scope
- Programs & Activities
- Tennessee Law
- Violations of Title VI
- “Simple” Keys for Compliance
- Reporting







**“Simple justice** requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination....

**But indirect discrimination, through the use of Federal funds is as invidious;** and it should not be necessary to resort to the courts to prevent each individual violation.”

# **The Civil Rights Act of 1964**

prohibits discrimination on the basis of race, color, religion, sex or national origin. Through its ten Acts or Titles, the law redressed discrimination in:

- Voting rights
- Public Accommodations
- Public Facilities
- Public Education
- Employment
- **Federally Assisted Programs  
& Activities – Title VI**



# TITLE VI

**“No person in the United States shall on the basis of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”**

# TITLE VI & LEP





# Tennessee & TITLE VI



- First state to require enforcement of Title VI in all programs, agencies, and departments (1993).
- *State, local agencies, and corporations* (profit or non-profit) who receive federal assistance are subject to the requirements of Title VI (Attorney General, Opinion No. 92.47)

# WHEN?

- In the U.S.
- Program or Service
- Direct or Indirect

# WHAT?

- Grants or Loans
- Lease/Sale of Property
- Technical Assistance/Technology Transfer
- Student Aid

**Applying the Law**

**How does Title VI impact your life,  
work, or business?**

**Are the provisions of Title VI broad  
enough to address race, color, and  
national origin discrimination?**

# Spotting Title VI Discrimination



- Denying any individual services, opportunities, or other benefits
- Offering different services or programs
- Segregating service recipients
- Restricting access to program services or benefits
- Failure to provide translation and/or interpreting services when warranted



# Spotting More ...

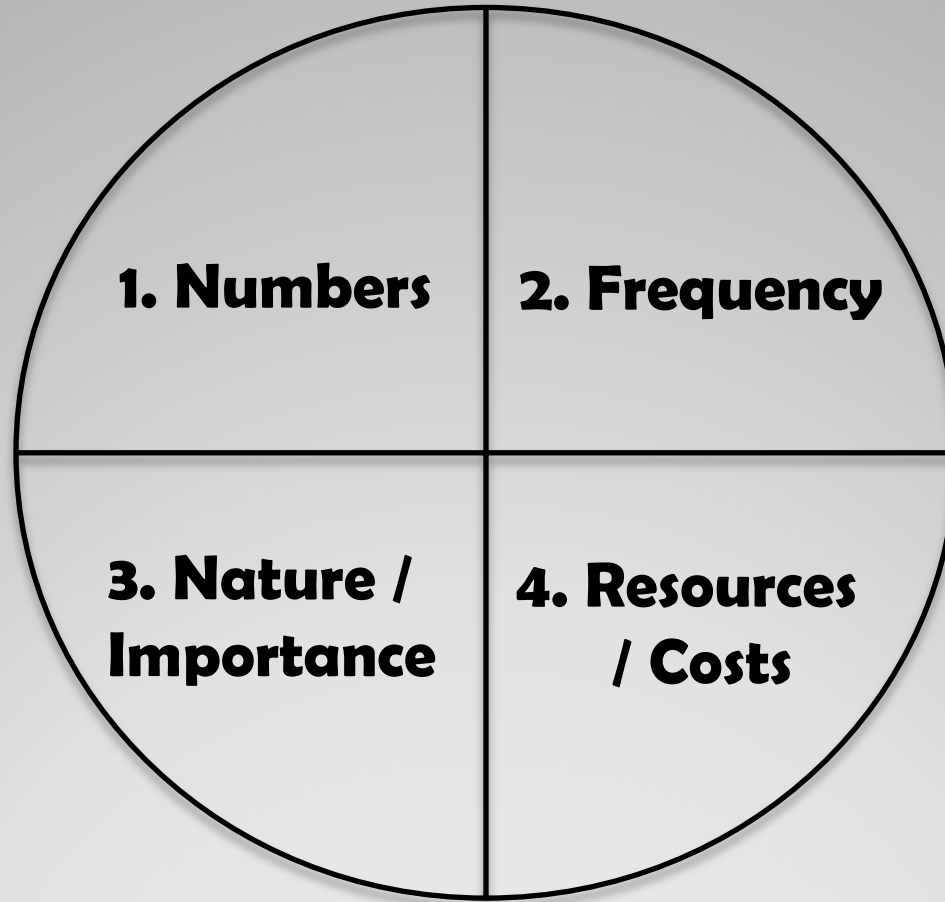


- Establishing policies and/or practices which would limit participation or subject recipients to discrimination
- Using language to address someone that conveys inferiority based on race, color, national origin
- Retaliation in response to a complaint

# INTENT v. IMPACT

## *Theories of Proof*

1. **Intentional discrimination/disparate treatment. (deliberate, motivated)**
2. **Disparate impact/effects. (Neutral procedure or practice; lacks substantial justification)**



# **LEP FOUR FACTOR ANALYSIS**

**Reason and Meaningful Access**





# WHEN ALL ELSE FAILS...

Contact us! 

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***You're the Title VI Coordinator in your  
department of organization.***



**“How we recover is  
more important  
than how we cover up.”**

*-- Dr. Derald Wing Sue*